

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

IRVING MURRAY (PROSE)  
(PLAINTIFF)

VS.

FILED  
SCRANTON  
MAY 14 2018

JOHN E. WETZEL ET AL.  
(DEFENDANTS)

CIVIL ACTION

NO: 3:17-CV-0491

JUDGE R. P. CONABOY

DATED: 5/10/2018

IS/ Irving Murray

DECLARATION OF: IRVING MURRAY  
UNDER NOTARY PUBLIC SEEKING DAMAGES

I, Plaintiff, Irving Murray, hereby depose and says the following:

Plaintiff presents these two exhibits as evidence of [D]efendants fabricating and falsifying documentation of actual diagnosis of his [Liver score], in which he avers that the [D]efendants blatantly still continue to use an unconstitutional [h]epatitis C protocol which such both the "HCV-Protocol" and "Risk-Stratification" policies is intended to cause deaths upon Pa. [DOCS] inmates especially at SCI-Mahanoy, retaliation continues by the Defendants and their agents who is working in concert, Defendants clearly lied as Dr. PAUL A NOEL, M.D., FAAFP CCHP, clearly fabricated/falsified statements in his Declaration under oath to Judge

Richard P. Conaboy on July-19-2017  
he made these statements under 28 U.S.C.  
§ 1746, on 7-19-2017. See exhibit "D"

Than Dr. Courtney Rogers fail to provide  
an written response but rather have  
the (RN/ICN) Defendant Brenda Houser to  
falsely state to me in writing that I  
do not have a "fibrosis Score" See exhibit  
"E" Inmates Request to staff member  
attached with this legal Declaration as  
undisputed evidence of "lies" and "deceit"  
for these reasons plaintiff seeks compen-  
satory Damages which is warranted. in the  
event this is denied by defendants plaintiff  
compel this court to issue a speedy  
immenent parole release and compensatory  
and punitive damages as well as exemplary  
damages awarded to plaintiff so that  
he can purchase his own treatment for  
[HCV]. obviously defendant prove that they  
can not be trusted and they are delibertly  
inflicting pain upon plaintiff and trying to  
drive plaintiff Irving Murray to his Death  
which is their soul intentions. it is illegal.  
I ask this court to force my injunction due  
to these reason and for reasons that Defendants  
fail to allow plaintiff to mail out his motion to  
compell discovery. Thank You  
Irving Murray #KP3561

Defendants constantly give conflicting statements that are false only to mislead this court into believing their bogus statements, that's causing Plaintiff a lot of pain and suffering.

As Defendants forces plaintiff out of prison on Parole so they do not have to face this suit litigation.

Plaintiff is being seen by the Parole board a Hearing scheduled by DOC and parole on 5-10-2018. Defendants are in hopes that this case go unheard by granting me a Parole release after my parole hearing today on 5-10-2018.

I, Irving Murray hereby verify that all the statements made herein this 5 page Declaration seeking damages are true and correct and subject to false statements under penalty of perjury and are made subject to 28 U.S.C.S 1746.

Dated: May 10<sup>th</sup>, 2018, Irving Murray

Irving Murray #KP3861  
Plaintiff (pro-se)

Form DC-135A

**INMATE'S REQUEST TO STAFF MEMBER:  
INFECTION CONTROL  
NURSE**

MAR 19 2018

Commonwealth of Pennsylvania  
Department of Corrections

**INSTRUCTIONS**

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

PF

1. To: (Name and Title of Officer)  
**MS. BRENDA HOUSER**

3. By: (Print Inmate Name and Number)  
**IRVING MURRAY # KP3561**

4. Counselor's Name  
**MR. MARTINO**

5. Unit Manager's Name  
**MS. J. CAREY**

6. Work Assignment  
**BLK WORKER**

7. Housing Assignment  
**BIA RTU. CELL # 62**

8. Subject: State your request completely but briefly. Give details. **MS. HOUSER I AM WRITING YOU REQUESTING A COPY OF MY HEPATITIS C FIBROSIS SCORE CAN YOU PLEASE TELL ME MY FIBROSIS SCORE, AND THE NAME OF THE HEAD PERSON ON THE HEPATITIS COMMITTEE IN CENTRAL OFFICE SO THAT I CAN WRITE THEM TO FIND OUT WHY IS IT I DO NOT FIT THE CRITERIA FOR MEDICATIONS FOR MY CHRONIC HEP C AND WHY IS IT I AM BEING DENIED MEDICINE FOR NON-MEDICAL REASONS, PER POLICY DC-ADM 13.2.1 AND RISK-STRATIFICATION POLICY OF THE DOC. PLEASE RESPOND BACK SOON.**

**THANK YOU VERY MUCH!  
RESPECTFULLY-SUBMITTED,  
Irving Murray, #1KP3561**

9. Response: (This Section for Staff Response Only)

**Fibrosure scores are done with signal is made to the treatment committee. You have not had a fibrosure test done, therefore there is nothing to give you a copy of and committee's do not receive copies of their charts. Dr Colgan is the head of the HEP C treatment committee. At this time you do not meet their criteria for referral for treatment.**

To DC-14 CAR only To DC-14 CAR and DC-15 IRS 

Staff Member Name

Brenda Houser, RN/ICN

Print

Sign

Date 3-20-18

Brenda Houser

CC: U.S. MIDD. DIST. COURT JUDGE

OFFICE OF CHIEF COUNSEL  
U.S. DEPT. OF JUSTICE CHIEF (4-OF-5)  
3.7 F/DISKETTE

D

16. Meanwhile, the DOC will continue to monitor all inmates with chronic HCV per the Hepatitis C Protocol. Monitoring includes periodic testing and review of the inmates through a chronic care clinic.

17. DOC policy is to continue to move down the list of inmates with HCV and evaluate those in the next category of priority.

18. I reviewed information pertaining to inmate Irving Murray KP-3561.

19. Irving Murray is enrolled in the DOC's Chronic Care Clinic. He was last seen in clinic on December 8, 2016. He presented with no complaints or symptoms. His blood work was done. Based on an APRI score of 0.731, Murray is believed to have a fibrosis score of F1.

20. Irving Murray is not in need of treatment with DAADs at this time.

The foregoing is rendered within a reasonable degree of medical certainty and is made subject to 28 U.S.C. § 1746.

Dated: 7-19-17

  
\_\_\_\_\_  
Paul A. Noel, M.D.  
Chief of Clinical Services  
PA DOC

(5-08-5)